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Agenda item 68

REVIEW OF THE IMPLEMENTATION OF THE DECLARATION ON THE STRENGTHENING OF INTERNATIONAL SECURITY

Letter dated 18 November 1991 from the Permanent Representatives of the Netherlands and the United States of America to the United Nations addressed to the Secretary-General

We have the honour to transmit the text, in English and French, of a statement on peaceful and democratic transformation in the East, issued on 9 November 1991 by the European Community and its member States and the United States of America (see annexes).

We should be grateful if you would have the text of the present letter and its annexes circulated as a document of the General Assembly under item 68 on the agenda for the forty-sixth session.

(Signed) Robert J. VAN SCHAIK
Ambassador
Permanent Representative
Kingdom of The Netherlands

(Signed) Thomas R. PICKERING
Ambassador
Permanent Representative
United States of America

Annex

STATEMENT BY THE EUROPEAN COMMUNITY AND THE UNITED STATES OF AMERICA, ON PEACEFUL AND DEMOCRATIC TRANSFORMATION IN THE EAST, ISSUED AT THE HAGUE ON 9 NOVEMBER 1991

We, the European Community and its member States and the United States, support the citizens of the new democracies of Central and Eastern Europe and the Soviet Union and its republics in their struggle to rebuild their societies and their economies on a democratic basis after decades of dictatorship and decay. We reaffirm our willingness to assist them as they confront the challenges they must overcome on the path to democracy and free-market economies.

One of the greatest of those challenges is dealing with ethnic diversity and the rights of persons belonging to national minorities. Ethnic diversity has enriched immensely the member States of the European Community and the United States. In Central and Eastern Europe and the Soviet Union and its republics, however, communism suppressed the legitimate concerns of those who sought to express and exercise their human rights and fundamental freedoms. Many States of the region now face the re-emergence of inter-ethnic tensions, which can lead to ethnic intolerance and aggressive nationalism and other dangers. The problem is currently most acute, and most dangerous, in Yugoslavia where the full benefits of democratic reform have not yet been realized. It also exists elsewhere and threatens to undermine progress towards democracy and prosperity in all the countries of the region.

The potential for inter-ethnic tensions and aggressive nationalism to destabilize the emerging democracies of the region can best be addressed through adherence to the principles and commitments enunciated through the CSCE process, including as reaffirmed at the recent Geneva meeting of experts on national minorities. Failure to observe these can, as we have seen in Yugoslavia, lead only to tragedy and human suffering.

We specifically want to underline that political freedom is not the cause of such problems but is the necessary precondition for achieving durable solutions in the spirit of compromise and mutual tolerance.

We call on the Governments and citizens of the region to join us in openly and publicly confirming their support for CSCE norms and commitments, including, specifically:

(a) The resolution of disputes consistent with democratic values, principles and practices;

(b) Reliance on dialogue and negotiation rather than the use of force to settle political differences. The use of force in such matters is absolutely unacceptable and will result in the international isolation of those who resort to it;

(c) Respect for all existing borders, both internal and external, and agreement to change them only through peaceful means and by the agreement of the parties concerned;

(d) Rebuilding their societies based on democracy and the rule of law, including in particular democratic practices such as free and fair elections, due process of law, free media and fostering tolerance and cross-cultural understanding. Democracy is based not only on the principle of majority rule, but also on the protection of the fundamental human rights of those in the minority;

(e) Safeguarding of human rights, with full respect for the individual, including fair and equal treatment of members of national minorities;

(f) Respect for international law and obligations, as well as the values, principles and commitments enunciated through the CSCE process, especially those contained in the Helsinki Final Act, the Charter of Paris, and the Copenhagen, Geneva and Moscow documents.

We note that the full observance and implementation of all CSCE principles and commitments and the respect for the diversity of minorities in a spirit of tolerance are essential to the development of close, cooperative and mutually beneficial relations in the new Europe.

As the CSCE proclaimed categorically and irrevocably in Moscow, respect for fundamental human rights in any CSCE State is a legitimate concern of the CSCE community. Indeed, they are among the primary obligations of responsible government. The citizens and Governments of Central and Eastern Europe and the Soviet Union and its republics should understand that the respect for these principles will be fundamental to the development of our relations.

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STRENGTHENING OF SECURITY AND COOPERATION IN THE MEDITERRANEAN REGION

Letter dated 20 November 1991 from the Permanent Representative of the Libyan Arab Jamahiriya to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the text of a letter addressed to you by Mr. Ibrahim Muhammad Bishari, Secretary of the People's Committee for Foreign Liaison and International Cooperation, concerning the statements made by the Governments of the United Kingdom and the United States accusing what they call "Libyan elements" of responsibility for the distressing incident in which a Pan Am aircraft crashed in 1988 and concerning the fact that those statements contain accusations and threats at a time when international relations are undergoing a relaxation of tensions and there is a spirit of accord among members of the international community based on constructive dialogue and mutual respect.

I should be grateful if you would have this letter and its annex circulated as a document of the United Nations under agenda item 67.

(Signed) Ali Ahmed ELHOUDEIRI
Permanent Representative

ANNEX

Letter from the Secretary of the People's Committee for Foreign Liaison and International Cooperation of the Libyan Arab Jamahiriya addressed to the Secretary-General

You have no doubt noted the statements made by the Governments of the United Kingdom and the United States accusing what they call "Libyan elements" of responsibility for the distressing incident in which a Pan Am aircraft crashed over Scotland in 1988, while we have declared our astonishment that such statements of accusation and threat are being issued at a time when international relations are witnessing a concord among States that is promoting the value of dialogue.

Such official statements by the United States Department of Justice, the official spokesman for the White House and the British Foreign Secretary indicate a premeditated intention of and a carefully considered plan for aggression against the Libyan people.

Successive United States administrations have persistently intervened in Libya's internal affairs with a view to forcibly changing its popular political and social regime, bringing all possible pressures to bear on it, conspiring against the political and social choices it has made and intimidating it. This has, on many occasions, reached the point of aggression on false pretexts that lack any material and tangible evidence.

In the political, economic and military confrontation that has been imposed upon it, Libya has challenged United States administrations, before American and world public opinion, to produce tangible, material evidence to corroborate their accusations. On each occasion, however, United States administrations have failed to produce such tangible, material evidence and have evaded confronting the truth that lies behind the falsity of their allegations.

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In 1986, the United States Administration invented false pretexts, unsupported by any tangible and material evidence, and falsely and slanderously accused Libya of responsibility for the bombing of a Berlin nightclub and for a bombing incident at Rome airport. It embarked on treacherous military aggression at night - without awaiting the outcome of any inquiry - against the Libyan people while they were peacefully and tranquilly asleep and thereby showed contempt for all moral and humanitarian values. It killed innocent children, old people and citizens, destroyed schools, hospitals and kindergartens and brought psychological terror into the hearts of sleeping children, old people and women with its treacherous and unwarranted aggression.

It subsequently became clear from the results of inquiries into those two incidents that Libya had no association with them. Nevertheless, the United States Administration expressed no regret for its aggression, and it was as if the people killed were no more than a flock of sheep, despite the fact that the world, as represented by international and regional organizations and by democratic forces, condemned the aggression, exonerated the Libyan people and expressed its condolences and its solidarity with the families of the dead and wounded in a whole series of international resolutions, including:

General Assembly resolution 41/38 of 20 November 1986;

The resolution of the eighth Summit Conference of the Movement of Non-Aligned Countries, held at Harare in 1986;

The Declaration of the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-second ordinary session in July 1986;

Communiqué No. 21 of the Islamic Summit Conference at its session held in Kuwait in 1987.

II

The United States is exploiting the current international situation to set itself up as a world government and an international policeman determining what is true and what is false and defining ethics and good conduct. Now, it suddenly surprises us and the whole world by fabricating new and groundless pretexts and by falsely and slanderously accusing Libya once again, three years after the crash of a United States Pan Am aircraft into which the United States Administration has conducted an inquiry.

Libya has heard, just as the world has heard, the statements of some United States and British leaders denying that Libya has any association with this incident and directing their suspicions against other parties. The United States of America has, however, with the power of one capable of doing so, endeavoured to refute the accusations made against other parties and to exculpate them. It has accused Libya, which it had previously exonerated, perhaps because of something in Libyan policy that does not please the United States Administration, with the premeditated intention of engaging in aggression in order to change the popular democratic regime by force, a popular political regime of which the United States Administration does not approve, thereby violating the provisions of the Charter of the United Nations prohibiting the threat or use of force and calling for the peaceful solution of problems between States by means of dialogue.

The United States Administration is once again inventing false accusations unsupported by any material, tangible evidence. It is jumping to conclusions and it is deciding for aggression, as has been said by United States and British leaders. Once more, we challenge the United States Administration and the British Government, before American, British and world public opinion, to produce convincing material, tangible evidence.

Furthermore, when the General People's Committee for Justice learned from the People's Committee for Foreign Liaison that it had received a note from the British Government in which accusations were made against "two Libyans", it proceeded to appoint a judge to inquire into the accusations made. The General People's Committee for Justice requested the United States Administration and the British Government to nominate lawyers to monitor the fairness and propriety of the inquiry. It also requested international humanitarian organizations to nominate lawyers to ascertain the propriety and fairness of the inquiry and the desire of the Great Jamahiriya to establish the truth as it was and not as it was seen or desired by the United States and British Governments. This corroborates the sincerity of our intentions and our unconditional readiness to cooperate in order to establish the truth.

The Great Jamahiriya declares its readiness to cooperate to the full with any impartial international judicial authority, because we are the victim in this matter. If, however, it is a matter of another premeditated act of aggression on the part of the United States Administration and the British Government with the intention of penalizing Libya, changing its popular political and social regime by force and punishing it for the political positions it has adopted, then we expect the Security Council and General Assembly of the United Nations, the international community, those peoples and governments that cherish justice and peace and world public opinion to stand by Libya in defence of its rights and in defence of the Charter of the United Nations. The Charter guarantees the equality of peoples and their right to make their own political and social choices, a right that is enshrined in religious laws and is guaranteed by international law.

In placing before you these facts and stating our point of view, we look forward to the adoption of a collective position that will put a halt to this repeated aggression against the Libyan people. We reserve our right, with your support, to defend ourselves in accordance with Article 51 of the Charter of the United Nations. We are appreciative of your role in the maintenance of peace and security and in the creation of a world in which great and small, powerful and weak are equal.

(Signed) Ibrahim Muhammad BISHARI
Secretary of the People's Committee
for Foreign Liaison and International
Cooperation

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REVIEW OF THE IMPLEMENTATION OF THE DECLARATION ON THE STRENGTHENING OF INTERNATIONAL SECURITY

Letter dated 2 December 1991 from the Permanent Representative of the Netherlands to the United Nations addressed to the Secretary-General

I have the honour to transmit the text, in English and French, of a declaration of the European Community and its member States on Ukraine issued on 2 December 1991 (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly under agenda item 68.

(Signed) Robert J. van SCHAIK
Ambassador,
Permanent Representative

Annex

DECLARATION ON UKRAINE

(European Political Cooperation Ministerial Meeting,
Brussels, 2 December 1991)

The European Community and its member States have taken note of the referendum in Ukraine in which a clear majority expressed itself in favour of independence. They welcome the democratic manner in which the Ukrainian people declared their wish for their Republic to attain full sovereignty.

As the transformation of the Soviet Union enters this crucial phase it is incumbent upon the representatives of Ukraine, of the Union and of the other Republics to take matters forward in a peaceful, democratic and orderly way. The European Community and its member States call upon Ukraine to pursue with the Union and the other Republics an open and constructive dialogue intended to ensure that all the Soviet Union's existing international obligations and commitments are carried out.

They expect Ukraine to honour all commitments of the Soviet Union under the Helsinki Final Act, the Charter of Paris and other relevant documents of the Conference on Security and Cooperation in Europe, especially those concerning the protection of persons belonging to national minorities.

The European Community and its member States in particular expect Ukraine to honour and, as appropriate, to implement all international obligations of the Soviet Union in respect of arms control and nuclear non-proliferation, and to do nothing which might call into question control of nuclear weapons on Ukrainian territory. They expect Ukraine to join the other Republics in accepting joint and several liability for the Soviet Union's foreign debts.